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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ANGEL FRALEY; PAUL WANG; SUSAN  
MAINZER; JAMES H. DUVAL, a minor, by  
and through JAMES DUVAL, as Guardian  
ad Litem; and WILLIAM TAIT, a minor, by  
and through RUSSELL TAIT, as Guardian  
ad Litem; individually and on behalf of all  
others similarly situated,

Plaintiffs,

v.

FACEBOOK, INC., a corporation; and  
DOES 1-100,

Defendants.

**Case No. CV 11-01726 LHK**

**DECLARATION OF STEVEN R.  
WEINMANN IN SUPPORT OF  
OPPOSITION TO MOTION TO  
CONSIDER WHETHER CASES  
SHOULD BE RELATED**

Courtroom: 8

Judge: Hon. Lucy H. Koh

Trial Date: December 3, 2012

**DECLARATION OF STEVEN R. WEINMANN IN SUPPORT OF OPPOSITION TO  
MOTION TO CONSIDER WHETHER CASES SHOULD BE RELATED**  
**Case No. CV 11-01726 LHK**

I, Steven R. Weinmann, hereby state and declare:

1. I am an attorney licensed to practice before all the courts of the State of California as well as the, and am Of Counsel to The Arns Law Firm, one of the attorneys for Plaintiffs herein. I make this Declaration in support of Plaintiffs' Opposition to Motion to Consider Whether Cases Should Be Related.
2. Plaintiffs in *Fraley* are essentially ready for trial, having served extensive discovery, and taken six depositions of Facebook personnel. Discovery (apart from expert discovery) is largely complete. On information and belief, no depositions have yet occurred in *Dawes*.
3. Plaintiffs in *Fraley* are also ready for class certification. Facebook has also taken discovery of the class representatives. On information and belief, in the *Dawes v. Facebook* matter (*E.K.D. v. Facebook, Inc.* (No. 12-cv-01216-JCS)), no depositions of the class representatives have been taken as counsel in *Dawes* has argued that they should not be taken.
4. Also on information and belief, counsel in the *Dawes* action has been provided (by Facebook's counsel) with substantially all the written discovery which has been responded to by Facebook in the *Fraley* action. This includes also depositions of Facebook personnel taken by counsel in *Fraley*. This was apparently in response to a ruling by the magistrate judge in the *Dawes* matter prior to its transfer to the Northern District of California.

1 I declare under the penalty of perjury under the laws of the State of California that the  
2 foregoing is true and correct, and that if called upon to testify, I could verify the accuracy of the  
3 same. This document was executed on March 20, 2011 in San Francisco, California.  
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